

Kenneth N. Wolf (KW 0598)  
Edward M. Joffe (FL Bar No. 314242)\*  
Sandler, Travis & Rosenberg, P.A.  
Attorneys for Plaintiff  
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*\* Not admitted in New York*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LANDAU UNIFORMS, INC.,  
A Tennessee corporation,

Case No: 1:08-CV-02401(HB)(GG)

Plaintiff,

v.

JBM INTERNATIONAL, LLC,  
A New York corporation;  
MEDICAL & INDUSTRIAL  
UNIFORM MFG, INC., A Texas  
corporation; ISAAC WEISER,  
individually; and MUSTAFA  
EBRAHIM, individually,

Defendants.

**EMERGENCY MOTION FOR EXPEDITED DISCOVERY AGAINST**  
**JBM INTERNATIONAL, INC. AND ISAAC WEISER**

Pursuant to Rule 26(d) of the Federal Rules of Civil Procedure, Plaintiff, Landau Uniforms, Inc., through undersigned counsel, hereby moves for the entry of an order allowing Landau to take expedited discovery against Defendants JBM INTERNATIONAL, LLC and ISAAC WEISER to require them to respond to the attached Interrogatories (**Exhibit A**), Requests for Production (**Exhibit B**), Notices of Taking Deposition (**Composite Exhibit C**) and



**CERTIFICATE OF SERVICE**

I, KENNETH N. WOLF, AS ATTORNEY FOR PLAINTIFF LANDAU UNIFORMS, INC. HEREBY CERTIFY that on **March 27, 2008**, I served a true and correct copy of the foregoing

**EMERGENCY MOTION FOR EXPEDITED DISCOVERY AGAINST  
JBM INTERNATIONAL AND ISAAC WEISER**

upon the below listed parties by depositing, or causing to be deposited, a true copy in a United States mail receptacle properly enclosed in a securely closed envelope postage-prepaid by first class mail and by overnight courier service addressed to:

**Medical & Industrial Uniform Manufacturing, Inc.**

41-59 Terminal Street  
Houston, Texas 77401

**Mustafa Ebrahim**

41-59 Terminal Street  
Houston, Texas 77401

**JBM International, LLC**

990 6<sup>th</sup> Avenue, Apartment 8L  
New York, New York 10018

**Mr. Isaac Weiser**

990 6<sup>th</sup> Avenue, Apartment 8L  
New York, New York 10018

\_\_\_\_\_/s\_\_\_\_\_  
Kenneth N. Wolf

# **EXHIBIT A**

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UNIFORM MFG, INC., A Texas  
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individually; and MUSTAFA  
EBRAHIM, individually,

Defendants.

\_\_\_\_\_ /

**PLAINTIFF'S FIRST SET OF INTERROGATORIES TO  
JBM INTERNATIONAL, LLC AND ISAAC WEISER**

Pursuant to Federal Rule of Civil Procedure 33, and Local Rule 33.3, Plaintiff, LANDAU UNIFORMS, INC., ("Landau"), hereby requests that Defendants, JBM INTERNATIONAL, LLC ("JBM"), and ISAAC WEISER ("Weiser"), answer the following interrogatories fully and separately in writing and under oath within the time limitations imposed by the Court.

**INTERROGATORIES**

1. Identify each person making and assisting with your interrogatory responses, including each person's name, address, occupation, current title and relationship to Defendants.

2. Identify all officers, directors and shareholders or equivalent of Defendant, JBM International, Inc.

3. State how JBM came into possession of the products bearing the federally registered Landau® or Urbane Scrubs® trademarks.

4. Identify the customers who bought the goods bearing the federally registered Landau® and Urbane Scrubs® trademarks

5. Identify the vendors who sold the goods bearing the federally registered Landau® and Urbane Scrubs® trademarks.

6. State the location of all inventory of goods presently in your custody or control.

DATED : NEW YORK, NEW YORK  
March 27, 2008

**SANDLER, TRAVIS & ROSENBERG, P.A.**  
Attorneys for Plaintiff

By: /s/  
Kenneth N. Wolf (KW 0598)

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New York, NY 10176  
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Edward M. Joffe, *Of Counsel*\*  
Florida Bar No. 314242  
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Miami, FL 33126  
Tel: 305-267-9200  
Fax: 305-267-5155  
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**DECLARATION UNDER OATH OF JBM INTERNATIONAL, LLC**

IN ACCORDANCE WITH RULE 33(b) OF THE FEDERAL RULES OF CIVIL PROCEDURE AND/OR 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING RESPONSES TO INTERROGATORIES ARE TRUE AND CORRECT. EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2008.

JBM INTERNATIONAL, LLC

By: \_\_\_\_\_  
(Signature)

[Print name, title and relationship to defendant]

**DECLARATION UNDER OATH OF ISAAC WEISER**

IN ACCORDANCE WITH RULE 33(b) OF THE FEDERAL RULES OF CIVIL PROCEDURE AND/OR 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING RESPONSES TO INTERROGATORIES ARE TRUE AND CORRECT. EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2008.

ISAAC WEISER

\_\_\_\_\_  
(Signature)

# **EXHIBIT B**

# **EXHIBIT B**

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corporation; ISAAC WEISER,  
individually; and MUSTAFA  
EBRAHIM, individually,

Defendants.

\_\_\_\_\_ /

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION  
TO JBM INTERNATIONAL, INC. AND ISAAC WEISER**

Pursuant to Federal Rule of Civil Procedure 34, Plaintiff, LANDAU UNIFORMS, INC. ("Landau"), submits the following request for production of documents and things to Defendants, JBM INTERNATIONAL, LLC and ISAAC WEISER to produce at the offices of undersigned counsel within the time limitations imposed by the Court.

## REQUESTS FOR PRODUCTION

1. For the period from 2005 to the present, any and all documents, records and electronically stored data evidencing the importation, purchase or sale of any goods bearing the LANDAU® or URBANE SCRUBS® trademarks, as more fully referenced in the Verified Complaint.

Dated: New York, New York  
March 27, 2008

**SANDLER, TRAVIS & ROSENBERG, P.A.**  
Attorneys for Plaintiff

By:                     /s                      
Kenneth N. Wolf (KW 0598)

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Miami, FL 33126  
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# **EXHIBIT C**

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Defendants.

\_\_\_\_\_ /

**NOTICE OF TAKING DEPOSITION OF JBM INTERNATIONAL, LLC**

**To:**

JBM International, LLC  
990 Sixth Avenue, Apartment 8L  
New York, NY 10018

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff, Landau Uniforms, Inc., by and through its counsel will depose JBM International, LLC. ("JBM"). The testimony is to be given before a Notary Public qualified by

law to administer oaths, at the offices of Sandler, Travis & Rosenberg, P.A., 551 Fifth Avenue, Suite 1100, New York, NY 10176

**RULE 30(b)(6) DESIGNATION**

Pursuant to Rule 30(b)(6), Federal Rules of Civil Procedure, the deponent shall designate one or more of its officers, agents or other employees who has knowledge of and will testify upon oral examination on behalf of the company with respect to the following matters:

1. How JBM came in possession of the products bearing the federally registered Landau® and Urbane Scrubs® trademarks.
2. Information regarding vendors who sold the goods bearing the federally registered Landau® and Urbane Scrubs® trademarks.
3. Information regarding the customers who bought the goods bearing the federally registered Landau® and Urbane Scrubs® trademarks.
4. Information regarding the location of all inventory of goods presently in your custody or control.

The deposition is scheduled to commence **on the date allowed by the court.** Said deposition will be recorded by stenographic means and/or sound recording and will continue from day to day until completed, as allowable by and subject to the Federal Rules of Civil Procedure and/or local rules.

Dated: New York, New York  
March 27, 2008

**SANDLER, TRAVIS & ROSENBERG, P.A.**  
Attorneys for Plaintiff

By:                     /s                      
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EBRAHIM, individually,

Defendants.

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**NOTICE OF TAKING DEPOSITION OF ISAAC WEISER**

**To:**

Isaac Weiser  
990 Sixth Avenue, Apartment 8L  
New York, NY 10018



# **EXHIBIT D**

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Defendants.

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**NOTICE OF RULE 34(a)(2) ENTRY UPON PREMISES  
OF JBM INTERNATIONAL, INC. AND ISAAC WEISER FOR INSPECTION**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 34(a)(2), Plaintiff, LANDAU UNIFORMS, INC., ("Landau"), hereby requests access to the premises controlled by the defendants, JBM INTERNATIONAL, LLC, ("JBM") and/or ISAAC WEISER ("Weiser"), where any and all goods bearing the Landau® and Urbane Scrubs® trademarks are

stored, including but not limited to the premises located at 990 Sixth Avenue, Apartment 8L, New York, NY 10018.

This request for inspection includes access by Landau, as well as its attorneys, consultants and experts, to the exterior and interior of any premises for purposes of inspecting, observing, sampling, photographing, documenting and videotaping. In general, and among other things, Landau seeks to identify and examine goods and materials bearing the Landau trademarks, Landau® and Urbane Scrubs®.

Pursuant to Rule 34(a)(2), a request for inspection must specify a reasonable time, place and manner of making the inspection and performing the related acts. Because Landau has moved the Court for expedited discovery, it is reasonable to begin the inspection at 9:00 a.m. on the date allowed by the Court and continue the inspection from day to day until it is completed.

Dated: New York, New York  
March 27, 2008

Respectfully submitted,

By:                     /s                      
Kenneth N. Wolf (KW 0598)

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